

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

DAMON A. HARTLEY,

Movant,

vs.

UNITED STATES OF AMERICA,

Respondent.

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Case No. 4:07CV1398 JCH

**ORDER**

This matter is before the Court on Movant's Motion for Appointment of Counsel, filed August 16, 2007. There is no constitutional or statutory right to appointed counsel in a civil case. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, courts consider factors that include whether the movant has presented non-frivolous allegations supporting his prayer for relief, whether the movant will substantially benefit from the appointment of counsel, whether there is a need to further investigate and present the facts related to the movant's allegations, and whether the factual and legal issues presented by the action are complex. See Battle v. Armontrout, 902 F.2d 701, 702 (8th Cir. 1990); Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005.

After considering Movant's Motion for Appointment of Counsel in view of the relevant factors, the Court finds that the facts and legal issues presented in the instant case are not so complex as to warrant the appointment of counsel at this time. In addition, the pleadings filed by Damon A. Hartley indicate that he is capable of presenting the facts and legal issues without the assistance of counsel. Movant's Motion for Appointment of Counsel will therefore be denied.

Accordingly,

**IT IS HEREBY ORDERED** that Movant's Motion for Appointment of Counsel (Doc. No. 4) is **DENIED**.

Dated this 17th day of August, 2007.

/s/ Jean C. Hamilton  
UNITED STATES DISTRICT JUDGE